

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-008312

09/17/2007

HON. SARAH D. GRANT, RET.

CLERK OF THE COURT

C. Danos

Deputy

IN RE THE MARRIAGE OF
JOELEWIS DE LA ROSA

JOELEWIS DE LA ROSA
9300 MONTANA AVE
APT 1190
EL PASO TX 79925

AND

MELISSA S DE LA ROSA

MELISSA S DE LA ROSA
3104 BRIGGS AVE
PARSONS KS 67357

COMMANDING GENERAL
ROOM 336
FORT BLISS TX 79916
DOCKET-FAMILY COURT CCC
FAMILY COURT SERVICES-CCC

JUDGMENT/DECREE

10:51 a.m. This is the time set for Resolution Management Conference.
Petitioner/Father, Joelewis De La Rosa, is present on his own behalf. Respondent/Mother,
Melissa S. De La Rosa, is present on her own behalf.

A digital audio recording of this proceeding is being made by the "For the Record"
recording system in lieu of a court reporter.

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The parties have reached agreement on all issues except child support. Mother advises the court that she has an appointment with Clerk of Court personnel on September 18, 2007 at 8:30 a.m. to calculate child support. As the Clerk of Court will prepare an Order of Assignment and related documents for the court,

IT IS ORDERED deferring calculation of child support. The Clerk of Court shall provide the child support documents to the court for inclusion in the Decree.

Joelewis De La Rosa and Melissa s. De La Rosa are sworn and testify.

DECREE OF DISSOLUTION OF MARRIAGE

The court has considered the testimony presented and makes the following Findings of Fact and Conclusions of Law.

Pursuant to A.R.S. §25-312,

THE COURT FINDS that Father is active military stationed in El Paso, Texas, but spent 21 years in Arizona before joining the military. Mother moved to Arizona from Kansas in March 2007 with the parties' only child, Mia Amor De La Rosa, (DOB: 11/09/2003).

THE COURT FURTHER FINDS that at least one of the parties has been domiciled in the State of Arizona for at least 90 days prior to the filing of the Petition For Dissolution; that the conciliation provisions of A.R.S. §25-381.09 and the Domestic Relations Education provisions of A.R.S. §25-351 either do not apply or have been met; that the marriage is irreparably broken; that there is no reasonable prospect for reconciliation and further that wife is not now pregnant.

To the extent it has the jurisdiction to do so, the court has considered, approved and made provisions for child custody, child support, spousal maintenance and property and debt disposition.

IT IS ORDERED designating that Arizona is the home state for jurisdiction purposes.

IT IS FURTHER ORDERED that the marriage heretofore existing between the parties is dissolved effective upon the signing and entry of this minute entry Decree and each party is returned to the status of a single person.

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CHILD CUSTODY AND PARENTING TIME

Arizona is the home state of the child vested with jurisdiction to make a child custody determination pursuant to A.R.S. §25-1031(A)(1), based on the facts that Mother moved to Arizona in March, 2007 with the child and Father had always lived in Arizona before entering the military.

THE COURT FURTHER FINDS based upon the evidence presented that neither parent has committed an act of domestic violence sufficient to preclude an award of joint custody in this matter pursuant to A.R.S. §25-403.03.

THE COURT FURTHER FINDS that sole legal custody of the child is appropriate and in the best interests of the child.

IT IS ORDERED that Mother shall have sole legal and physical custody of the parties' minor child, Mia Amor De La Rosa, (DOB: 11/09/2003), with Father exercising parenting time for major holidays in odd-numbered years and Mother exercising holiday time with the child in even-numbered years. Major holidays shall be construed to mean Thanksgiving, Christmas, New years, and Easter. Father shall also have three weeks parenting time in the summer.

Until the child is older, Father's parenting time shall take place either in Arizona or in Kansas at Mother's home during which time Mother will leave her home and visit her parents in Joplin, Missouri, leaving the home available for Father and the child's use during their parenting time.

By the time the child is five years old, Father shall then be able to exercise parenting time away from Mother's home. Father shall give Mother 48-hours notice, a full itinerary of where he and the child will be, including contact telephone numbers where they can be reached.

Both parties may have daily telephone contact with the child when the child is not with them. The telephone contact with the child shall be for reasonable lengths of time, at reasonable hours, on a reasonable basis. There will be no restriction on the telephone contact.

CHILD SUPPORT

The court has received a Child Support Worksheet, Child Support Order, Order of Assignment, Current Employer Information and Judgment Data Sheet from the Clerk of Court.

Based on the Arizona Child Support Guidelines,

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IT IS ORDERED that Father shall pay Mother \$796.23 per month as and for child support, plus \$2.25 per month as and for the Clearinghouse Handling Fee for a total of \$798.48 per month, effective October 1, 2007. All payments shall be paid through the Support Payment Clearinghouse, P.O. Box 52107, Phoenix, AZ 85072-2107.

ISSUED & FILED: Child Support Worksheet; Child Support Order; Order of Assignment; Employer Information.

Until the Order of Assignment becomes effective, it is the responsibility of the party obligated to pay child support to pay the support through the Support Payment Clearinghouse. The payment should include the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party must be submitted to the Clerk's Office, in writing, within 10 days of the change (A.R.S. §25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

Father shall continue to maintain medical and dental health care coverage for the child.

SUPPOSAL MAINTENANCE

Neither party made a claim for spousal maintenance nor was there evidence presented to support an order for maintenance to or for either party.

DISPOSITION OF COMMUNITY PROPERTY:

There is no real property.

Each party requests the property in their current possession, subject to any liens and encumbrances. The parties testified that this division represents an equitable division of assets.

The parties have been separated for some time, and any personal property they now have in their position shall be the property of the person who possesses it. Mother has a 2000 Chevrolet Malibu and a 2002 Honda CRV.

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IT IS ORDERED awarding to each party, as their sole and separate property, all personal property, including vehicles, currently in their possession, subject to any liens and encumbrances thereon.

For the purposes of entry of the Decree in this matter, due to Father's active military status,

IT IS ORDERED waiving the immediacy of the parties completing the Parent Information Program.

IT IS FURTHER ORDERED that Mother shall contact Luke Air Force Base to enroll for the Parenting Information Program free to military personnel and their families. Father shall also enroll in the Parenting Information Program at his assignment.

IT IS FURTHER ORDERED that the parties shall take the Parenting Information Program and file the Completion Certificate with the court within six months at the following address:

**Maricopa County Superior Court
Central Court Complex – Family Court Filing Counter
201 W. Jefferson
11th Floor, Courtroom 1102
Phoenix, AZ 85003**

11:23 a.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/ s / HON. SARAH D. GRANT, RET.

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.